

§ 253.181

employees to Canal Area Career or Career-Conditional Appointments. Employees converted under this subpart will be treated as if they had been appointed from a register as provided in § 253.42.

[56 FR 1924, Jan. 18, 1991]

Subpart E—Performance Rating

§ 253.181 Rating system.

Employing agencies shall establish a performance rating system for employees generally patterned after the Office of Personnel Management guidelines.

Subpart F—Training

§ 253.201 Training programs.

Agencies shall, in accordance with any obligation established by the Panama Canal Treaty or the agreements in implementation thereof, establish training programs for Panamanian employees and apprentices in order to increase the number of Panamanian nationals qualified to assume positions as positions become available. Except as provided in the said treaty and agreement, there shall be no discrimination on the basis of citizenship with regard to training.

Subpart G—Military Service

§ 253.221 Rights of employees.

The rights of employees called to active military duty in the Armed Forces of the United States will be determined in accordance with 5 CFR Part 353.

Subpart H—Adverse Personnel and Reduction-in-Force Actions

§ 253.241 Applicability of existing law and civil service regulations.

(a) The provisions of 5 U.S.C. 7501 are applicable to the removal or suspension of those employees to whom such provisions were applicable immediately prior to January 19, 1959.

(b) The provisions of 5 CFR Part 752, and Title 5, United States Code, pertaining to adverse actions, are applicable to preference eligibles to the extent and in the manner specified therein.

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(c) The provisions of 5 CFR Part 351 and Title 5, United States Code, pertaining to reductions in force, are applicable to all reduction-in-force actions.

(d) The provisions of 5 U.S. Code, section 5596 shall be applicable to any person whose removal or suspension under an agency's system established by § 253.262 is determined to have been unjustified or unwarranted after review in accordance with procedures of the employing agency.

§ 253.242 Probationary employees.

Any employee serving a probationary period shall be given a full and fair trial in the duties of the position in which appointed. If the performance of his duties or his conduct during the probationary period is not satisfactory to the employing agency, his services may be terminated by notifying him in writing of the reasons for his separation and of its effective date. An employee's services may also be terminated during the probationary period for reasons based in whole or in part on conditions arising prior to his appointment. The employing agency shall notify him in writing of the reasons for his separation and its effective date.

Subpart I—Grievances and Appeals

§ 253.261 Grievance procedures.

Each employing agency shall make available to employees a grievance procedure established by the agency, except as may be otherwise provided by a negotiated grievance procedure.

§ 253.262 Adverse actions and appeals.

Each agency shall establish an adverse action and appeals system under which the provisions of 5 CFR Part 752, are administratively extended to employees in categories corresponding to those in the U.S. competitive service to which that part applies. Appeals to the Merit Systems Protection Board shall not, however, be so extended by such administrative action.

§ 253.263 Appeals from applicants or eligibles.

Applicants and eligibles who have reason to believe that the regulations

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in this part were not followed in rating their examinations or in making selections for appointment may appeal to CEO. In the event they are not satisfied with CEO's decision, and they can show reason to believe that CEO's action was arbitrary, capricious, or in violation of these regulations, they may request a review of the decision by the PAPB.

Subpart J—Records and Reports

§ 253.291 Applicability of Federal Personnel Manual.

(a) The provisions of Chapter 296 of the Federal Personnel Manual will, except as indicated below, apply to the preparation of notifications of personnel action taken under the regulations in this chapter.

(1) All appointment and conversion actions will be prefaced by the term "Canal Area" or "CA" and will be identified as taken under the authority of the regulations in this chapter.

(2) The noncompetitive appointment of a former Federal employee under the provisions of § 253.44 will be termed a reappointment rather than a reinstatement.

(b) The provisions of Chapters 293 and 298 of the Federal Personnel Manual will apply, respectively, to the maintenance of employment records and the reporting of employment, except that the Official Personnel Folders of non-U.S. citizen employees who separate from service may be retained by the employing agency for not to exceed two years following separation. Upon expiration of this period, the Official Personnel Folders will be transferred to the National Personnel Records Center for permanent storage.

[51 FR 33262, Sept. 19, 1986]

Subpart K—Labor Management Relations

§ 253.311 Labor-management and employee relations.

Labor-management and employee relations of agencies, their employees and the exclusive representative of employees in an appropriate unit in an agency shall be governed and regulated solely by Chapter 71 of title 5, United

States Code and other applicable laws, rules and regulations of the United States.

Subpart L—Equal Employment Opportunity

§ 253.331 Policy concerning equal employment opportunity.

(a) All Personnel actions affecting employees or applicants for employment shall be made free from any discrimination based on race, color, religion, sex, age, national origin, handicapping condition or marital status.

(b) Agencies may adopt regulations to carry out the provisions of this subpart and may provide for appeals of personnel actions alleged to be based upon discrimination prohibited by this subpart.

(Secs. 1211 through 1225 of the Panama Canal Act of 1979; 93 Stat. 463; Executive Order 12215)

PART 255—[RESERVED]

PART 256—SALARY OFFSET FOR FEDERAL EMPLOYEES WHO ARE INDEBTED TO THE UNITED STATES

Sec.

256.1 Collection of debts by offset; scope of regulations.

256.2 Definitions.

256.3 Pay subject to offset.

256.4 Advance notice of debt; request for records; submission of information.

256.5 Formal notice to employee.

256.6 Request for a hearing; prehearing submissions.

256.7 Hearings; time, date, and location.

256.8 Consequence of employee's failure to meet deadline dates.

256.9 Hearing procedures.

256.10 Representation.

256.11 Applicable legal principles.

256.12 Standards for determining extreme financial hardship.

256.13 Collection of debts on behalf of other agencies by offsetting the pay of a Commission employee.

AUTHORITY: 5 U.S.C. 5514, as amended by section 5 of Public Law 97-365, 96 Stat. 1751-1752.

SOURCE: 50 FR 34123, Aug. 23, 1985, unless otherwise noted.